

HUNDREDS WATCH AS NEGRO BURNS

Infuriated Texans Deal Out
Swift Justice After He
Is Identified.

MADE CONFESSION AND SHOWED NERVE

Did Not Utter a Sound as Cord-
wood, Saturated With Kero-
sene, Was Piled Around Him
and Stoically Endured
Pain as Flames Cook-
ed His Flesh.

ROCKWALL, TEX., March 7.—After having been identified by Mrs. Arthur McKinney, as the negro who attempted a criminal assault upon her Friday morning, Anderson Ellis, was taken from the Rockwall county jail to-night, secured to an iron stake driven in the presence of about 1,000 persons.

Earlier in the evening Will Clark, a negro, was shot and instantly killed, when his father, Andrew Clark, refused permission to a posse to search his premises on the assumption that Ellis was concealed there.

People were here from several towns and from Dallas, Collin and Hunt as well as Rockwall county to witness the execution of the negro.

Confessed His Crime.
Ellis admitted his guilt, but refused to make a statement or to leave any messages for his relatives. He did not utter a cry as the pile of cordwood, which had been well saturated with kerosene was set afire, nor did he show less of nerve as the flames cooked his flesh. He was dead within nine minutes after the torch had been applied.

The burning occurred in the public square of this city. At an early hour Friday morning Mrs. McKinney went into her back yard and was seized by the Ellis negro, an employee of McKinney, who attempted to assault her. She fought desperately, and the negro, running away, called that he would murder her should she reveal his attempted act.

The alarm spread quickly, and the entire section turned out, joining the authorities in the chase after the negro. The search continued through Friday and Saturday, when a posse today arrived at the farm house of Andrew Clark, a negro, who had been made to search the premises on the supposition that the negro Ellis was there in hiding. Upon refusal the inmates were commanded to surrender, and two negroes were observed to run from the rear of the house. Shots were fired at them, and one, Will Clark, a son of the negro farmer, was killed.

The other negro, now known to be Ellis, escaped. Bloodhounds were secured and put on the trail. About 8 o'clock he was rounded up at a farmhouse three miles south of Caddo Mills. Ellis, armed, made desperate resistance, and emptied his weapon at the posse without effect.

Quickly closing in, the posse overpowered the negro and tied him to a tree. During the fight with the posse, Ellis was wounded twice, once in the arm and once in the back.

Jailers Overpowered.
The negro was placed in the Rockwall county jail. When it became generally known that Ellis had been captured, but that he had determined to overpower the jailers, secured the keys, unlocked the cell and brought the negro down. There was no rowdiness. The negro was securely tied to an iron stake.

Cordwood saturated with kerosene was piled around him, and upon his refusal to make a statement beyond admitting his guilt in the presence of Mrs. McKinney, who fully identified him as her assailant, the torch was applied and the negro's body quickly burned in the flames. The crowd then quickly dispersed.

SHOT BY LOVER

Woman Awoke to Find Him by Bed-
side and Again Refused Him.

PITTSBURG, PA., March 7.—Waking at 4 o'clock this morning at her home in Beaver, thirty miles west of here, Mrs. Mamie McKee, a widow, found William G. Wilner, a rejected suitor, standing at her bedside, and when she declared again in answer to his question that she did not love him, the man fired four bullets into her head. Wilner then killed himself by taking poison and then shooting himself.

Late to-night Mrs. McKee is living, with no possible chance of recovery. Wilner was twenty-six years old. His victim is thirty. Since the death of her husband Mr. McKee has conducted a boarding-house, and Wilner was one of her boarders. During the last year he was insistent in pressing attention upon her, but she had rejected all his advances.

EDUCATIONAL CONFERENCE

Sessions to Be Held in Atlanta, Begin-
ning on April 14.

ATLANTA, GA., March 7.—Already it is evident that the twelfth conference for education in the South, which will be held in Atlanta for three days, beginning April 14, is to be marked by some notable features touching education and racial development. Among these will be an address on "The Economic Organization of Rural Life," by John Lee Coulter, of the University of Wisconsin; an address on "Rural Life," by National Forester Gifford Pinchot, and an address by Mrs. Mary Cook Branch Munford, of Richmond, on "Women's Work for Education in the Southern States."

The question of "Public Taxation and the Negro School" will be handled in a paper by Superintendent C. L. Coon, of Wilson, N. C.

WALK TO CHURCH

Mr. and Mrs. Roosevelt Trudge Three Miles Through Snow.

OYSTERVILLE, N. Y., March 7.—Further evidence that former President Theodore Roosevelt is leading the simple life in every respect was furnished to-day, when Mr. Roosevelt and his wife came trudging for three miles through the slush and snow on foot to church. Both were in their pew at Christ Episcopal Church ten minutes before the hour scheduled for services. On the way they met many of their neighbors and chatted with them. Every one was surprised to see them come to church on foot. Their children, Miss Ethel and Kermit, were not so brave.

In a special prayer, said during the regular service, the minister, after the pastor offered thanks for the safe return to his home of the former executive of the nation, and for the wisdom with which the last official administration had been conducted. Reference also was made in the sermon, which was read by the pastor, to the intercession for children to the recommendation which Mr. Roosevelt had made to Congress in behalf of dependent children.

During the entire afternoon Mr. Roosevelt remained in his library reading. He is thoroughly enjoying a much-needed rest. No visitors have been received at Sagamore Hill. Mr. Roosevelt is spending his mornings indoors and afternoons out of doors. He insists on having a certain amount of exercise in order to keep in trim for his African expedition.

Mr. Roosevelt will go to New York on business.

GET COMMUNICATION

Baltimore's Isolation of Past Few Days Is Partially Broken.

BALTIMORE, MD., March 7.—The isolation from the outside world of which this city has been a complete victim practically since early Thursday morning, was broken to-day, and the city began to feel the end of the difficulty. The Associated Press office here managed to secure direct wire communication with the New York City office of the United States, and the Chesapeake and Potomac Telephone Company at this end and the American Telephone and Telegraph Company at the other. Within an hour of the time when it became known that the connection between this city and New York had been re-established, service was expected by to-morrow night.

The Chesapeake and Potomac Telephone Company appears to be making the best progress in straightening out the tangle caused by Thursday's storm, although both the telephone companies are working hard with all the men they can get. Service is expected by to-morrow night.

JUSTICE FULLER ERRS

Nearly Made Taft Swear He Would Execute Constitution.

WASHINGTON, D. C., March 7.—It became known today that Chief Justice Fuller, in pronouncing at the inauguration the oath which Mr. Taft was to take, made a mistake. The Chief Justice said: "I do solemnly swear that I will faithfully execute the Constitution of the United States." Senator Knox was standing near Mr. Taft as the oath was being administered. He noticed the mistake, and smilingly whispered to Mr. Taft: "Don't do it."

There was a pause of a few seconds, and then Mr. Taft, with upraised hand, spoke the oath in its correct form: "I do solemnly swear that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect and defend the Constitution of the United States."

WOMAN RISKS LIFE

Wife of Rural Mail Carrier Braves 20 Miles of Bad Roads.

SALEM, N. J., March 7.—Although some of the roads are almost blocked by snow, Mrs. H. D. Dare, wife of a rural mail carrier, E. H. Dare, who is ill, to-day delivered the mail to patrons along her husband's rural mail route, a distance of twenty-three miles. Mrs. Dare is a plucky woman and once before delivered the mail along the route when her husband was sick.

Because Mr. Taft, with upraised hand, spoke the oath in its correct form: "I do solemnly swear that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect and defend the Constitution of the United States."

FOUND DEAD IN DESERT

Youth on Horseback Lost His Way in a Snowstorm.

BURNS, ORE., March 7.—Henry Miller Nickel, twenty-two years old, grandson of Henry Miller, millionaire cattle and land owner, was found frozen to death on a horse in the snow-covered desert, a distance of twenty-three miles from his home. The body was found by a posse of men who were searching for him. The body was found by a posse of men who were searching for him.

CARTRIDGE EXPLODED

Woman Swept Into Fire and She May Die.

CHARLOTTE, N. C., March 7.—While sweeping the floor of a room at her home three miles from Gastonia, N. C., to-day, Mrs. Eugene Ratchford swept a pistol cartridge into the fireplace. The cartridge exploded, the bullet entering her right breast and inflicting a wound that will probably prove fatal.

WILL SIGN BILL

Governor of Washington Expresses Ap-
proval of Local Option Measure.

OLYMPIA, WASH., March 7.—Governor May has expressed verbal approval of the local option bill which was passed by the Legislature yesterday and will sign it.

EARTHQUAKE SHOCK

Two Violent Ones Felt at Guayaquil.

GUAYAQUIL, ECUADOR, March 7.—Two strong shocks of earthquake, lasting half a minute were felt at Guayaquil and along the coast. No damage resulted, but the populace was thrown into a state of great panic.

ASSUMES DUTIES WITH EQUANIMITY

"First Lady of the Land"
Is Equal to the
Occasion.

HER POSITION IS ONE OF RESPONSIBILITY

Assumes Office Without Public
Ceremony or Taking of Oath,
and Without Compensation.
New Mistress of White
House Makes Some
Changes.

WASHINGTON, D. C., March 7.—Mrs. William Howard Taft, "first lady of the land," has assumed duties without public ceremony or oath of office, which, in weight of responsibility, magnitude of importance, delicacy of execution and absolute lack of compensation, except in love for her husband, the President, and loyalty to the nation as its first woman, have no comparison.

President Taft is charged under his oath with "executing the office of President." Mrs. Taft is charged, under oath, with administering the social and domestic affairs of the White House in a manner consistent with allowing that revered and historic place to be the public property of the nation, and at the same time the official place of entertainment of the representatives of foreign nations and domestic dignitaries.

Mrs. Taft will execute these requirements primarily by means of her long experience in public life. As the wife of Mr. Taft she was "first lady of the land" in the Philippine Islands; she was his wife a Federal judge and as his Cabinet minister. In the latter position Mrs. Taft learned the requirements of Washington society. Mrs. Taft is to-day in full possession of the detailed requirements of her position, and is already making the minor changes in the administration of the executive mansion necessary to meet her own ideas.

Establishes Footmen.

The addition of the executive office building permits of an entire department of the official business of the President from the White House proper. That the main entrance of the White House may present as near as possible the appearance of a private residence, the uniformed police officers and frock-coated doorknockers have been eliminated and in their place two negro footmen in liveries.

The rights of the public are recognized by the maintenance of the hour from noon to 1 o'clock, when admission is granted through the east entrance to the historic East Room and the parlors of the mansion.

Mrs. Taft has abolished the position of steward and will conduct her domestic arrangements through a woman housekeeper.

Series of Functions.

While the season of prescribed official dinners is over, it may be predicted that the new tenant of the White House will conduct a series of informal social functions during the special session of Congress which will bring renewed animation and social life to the sedate and sombre structure during the first few months of the Taft regime.

Mrs. Taft is forty-six years of age, although her appearance and native animation would not indicate that fact. To relieve the President from domestic cares and social adjustments seems to be the platform of her administration, and her first few days of duty indicate that she is well equipped for the rank as his first lady for the duties to which she has been called by the nation.

DEMOCRATIC SIMPLICITY

Marked the First Sunday of the Tafts in the White House.

WASHINGTON, D. C., March 7.—Democratic simplicity characterized the first Sunday in the White House of the Taft family. President Taft, accompanied by his brother, Charles P. Taft, walked to the Unitarian Church for morning services. The capacity of the edifice was taxed to its utmost with worshippers and strangers, whose curiosity impelled their presence.

After service the President, accompanied by his brother, went on foot to the latter's temporary residence, at Dupont Circle, where he remained for more than an hour.

He returned to the White House on foot, and after luncheon bestowed attention on his newly acquired horse, purchased at Hot Springs, Va., and with General Clarence R. Edwards, his military aid; Captain Archibald Butt and President Roosevelt's orderly, McDermott, went for a twelve-mile ride over the newly constructed Potomac Speedway.

President Taft saw no callers who had business to transact during the day, thus beginning his administration with his heretofore enforced maxim that Sunday should be a day of rest.

Fred W. Carpenter, secretary to the President, spent some time arranging for the disposal to-morrow of the great mass of communications which have been received since Mr. Taft assumed the duties of President.

CONGRESS NOT TO HAVE HANDS TIED

No Restrictions on Nature
of the Business to Be
Transacted.

TARIFF BILL IS NOT TO TAKE ALL THE TIME

Republicans Planning to Work
on Many of the Pledges Made
in Platform—Arizona and
New Mexico Will Again
Fight for State-
hood.

WASHINGTON, D. C., March 7.—When Congress meets on March 15 to consider a revision of the tariff there will be no constitutional restriction upon the nature of business that may be transacted. It is generally conceded that at least two months will be required for the House to conclude considerations of all the schedules involved. The Committee on Ways and Means will require considerable time to report the measure.

After the bill leaves the House it will be in the hands of the Senate Committee on Finance for some time before the debate begins. Then will begin a long wait by the House until the Senate amendments are known, and conferees appear to bring about an agreement upon them.

No Inactivity.

In view of the period of inactivity that would face each house should nothing be considered except the tariff, many Senators are considering the advisability of entering upon other legislation. The advocates of postal savings banks, who were unable to secure legislation in the last session, believe there are abundant votes to pass such a measure, and point to the last Republican platform as giving proof that the majority early next winter as the President, is pledged to postal savings banks.

There are many advocates of a change of the date of inauguration. Senator Dewey has introduced a resolution proposing an amendment to the Constitution to change the date from March 4 to the last Wednesday in April.

To Press Statehood.

Advocates of statehood for New Mexico and Arizona do not desire to delay action until the regular session of Congress, because they fear the measure will crowd their claims to the background.

The President's veto of the census bill makes mandatory some action to provide for the enumeration of the thirteenth census, and while this might be delayed until early next winter, it may be disposed of at the extra session.

SHE BOUGHT KISSES

Woman Pays \$100 Each, and Smacks
Away Her Allimony.

PITTSBURG, PA., March 7.—Whether Mrs. Anna Roth kissed away her allimony or whether the still has a portion of it secreted, is a matter which the South Side police have given up trying to solve.

Mrs. Roth and Joseph Allen, a railroad, to whom Mrs. Roth is said to have paid \$400 for three resounding smacks on the lips, together with W. B. McCarthy, L. R. McCarthy and Lizzie Crancy, were arrested early this morning at McCarthy's home, charged with being suspicious persons.

Christopher Roth, claimed to be the police, said his wife had been robbed of \$300 in McCarthy's home. The money wasn't found.

Mrs. Roth, when questioned, stated she had paid Aiken \$100 a kiss for three kisses. When searched at the station Mrs. Roth paid \$48 any Aiken \$11. Mr. Roth decided to separate Thursday, and Roth had given his wife \$400 as her share of the family purse.

ROYAL WEDDING

Daughter of the Mikado Is to Marry
Prince Kato Shirokawa.

TOKIO, March 7.—The wedding of Princess Kato, a daughter of the Emperor, and Prince Kato Shirokawa, will take place about the middle of April. Mr. Nagasaki, of the Imperial Household Agency, who is in charge of the wedding, had audience with the Emperor, and gave an account of his trip.

It is reported that the clothing was purchased in London, and several pieces of jewelry, including a necklace valued at \$13,000 and a finger ring valued at \$5,500 in Paris.

PASSING THE HAT

Negroes Will Present Senator Foraker
With Handcuff Testimonial.

STRANGER FOUND WITH THROAT CUT

Every Indication That Man
Was Murdered by Un-
known "Pal."

VALUABLES ON BODY ARE LEFT UNTOUCHED

Dead Man, Supposed to Have
Been Walter Schultz, of Sioux
City, Ia., and Contents of
Pockets Showed Him
to Be a Wan-
derer.

[Special To The Times-Dispatch.]

ALEXANDRIA, VA., March 7.—This city has a murder mystery which adds fuel to the baffling police department, and which will doubtless never be solved. The murdered man, from letters found on his person, is Walter Schultz, presumably of Sioux City, Iowa. Schultz's body, it is said, was found at 9 o'clock this morning opposite a new subdivision known as Rosemont, just north of the city limits, with a horrible looking cut fully four inches long and two deep on the left side of the throat.

There was no indication of a struggle, and the ground about his head was saturated with blood, as was also his shirt, which was open in the front. The police were notified by two railroad men, one white and one colored, who found the body.

Dead Man Had Valuables.

As soon as the body was found an examination of the contents of the pockets was made, and it was discovered that Schultz had three orders of \$100 on the Wells-Fargo Express Company, dated December 2, 1908, from Los Angeles, Cal., together with \$23.11 in money and an open-faced gold filled watch.

A number of letters and papers were also found, together with about ten feet of four-inch rubber tubing tied together.

The dead man is about thirty-five years old, and weighs 160 pounds, and is 5 feet 2 inches in height. He was attired in a dark blue suit with turn-down collar and black bow tie, and a striped blue-colored shirt. He also had a black overcoat and hose and shoes to match. One of his upper teeth was filled with gold. The man had a fair complexion and a heavy suit of dark brown hair and blue eyes. It was evident that he had not been shaved for the past three days owing to his heavy growth of beard.

In connection with the finding of the body it was significant that his hat was missing. There was no sign of a razor or any weapon with which he could have inflicted the horrible cut of his own accord. This dispelled the idea that the dead man had ended his own life, and more strongly supported the murder theory.

All sorts of rumors are being conjured up as to the cause for the murder.

Found in Barren Spot.

The place where the body was found is a barren piece of land beside a small run, over which hangs a number of weeping willows. It was evident that the man had been lured to that place by words or promises, and to probably catch a freight train, and was there murdered. It is the belief of the police that the man was murdered by someone with whom he had in all probability been traveling around the country. If such be the case, and it probably is, it was probably done for spite work and not for robbery.

The money that Schultz had, together with the money orders, were safely inclosed with pins in his inside vest pocket, and it was evident that no effort had been made to disturb them. It was also noticeable that his watch was intact in his pocket. Beside the body lay a small wooden pipe and a lead pencil, the latter in all probability dropping from his pocket as he fell after the fatal blow had been dealt with the razor or whatever weapon was used.

Was a Globe Trotter.
That Schultz was somewhat of a globe trotter there can be but little doubt. The contents of a letter found in his pocket, which was signed "Your sister, Ellen Dorothy, Sioux City, Ia." The letter bore the date of December 30, 1908, and was addressed to (Continued on Page Two—Column 6.)

EVERYTHING IS QUIET

President Zelaya Denies Nicaragua Is
Preparing for War.

NEW ORLEANS, LA., March 7.—President Zelaya, of Nicaragua, in a cable to Consul-General Altshuler here denies positively that preparations are being made in his country for war with either Costa Rica or Salvador.

"We are in absolute peace," declares President Zelaya, "and everything is quiet."

DIED IN HOTEL

New York Tourist Has Attack of Pneu-
monia in Georgia.

AUGUSTA, GA., March 7.—Henry B. Wilson, of New York city, died at a winter tourist hotel here at 3 o'clock this afternoon, the result of an attack of pneumonia.

Mrs. Wilson is at the hotel and will accompany the remains of her husband to New York.

FIGHTING DISEASE

State of Florida Is Waging a War on
the Tuberculosis.

PENSACOLA, FLA., March 7.—Determined to exhaust every means in an effort to rid itself of that dread foe, tuberculosis, the State of Florida is waging a vigorous campaign against this disease. The campaign is being waged in every part of the State with exhibits illustrating the ravages of tuberculosis and with lectures describing the progress of this insidious disease and the methods necessary to combat it.

The preliminary step in this aggressive movement will be the transfer of the National Anti-Tuberculosis Association in appreciation of its exhibits from St. Louis to Pensacola during the remainder of the ninety days' campaign in this city. At a half dozen times along the coast there will be vigorous demonstrations against consumption with the establishment of receiving stations for the long continued campaign which will follow this preliminary movement. Tallahassee, Lake City, Ocala, Gainesville, Miami and Key West will be made important centers from which dramatic parties will scour practically all of the State.

Y. M. C. A. IN RUSSIA

Great Interest Being Taken and Mr.
Stokes Is Thanked.

ST. PETERSBURG, March 7.—Premier Stolypin, M. K. Romakoff, president of the Duma, and other prominent government officials, have signed an address to Anson Phelps Stokes, of New York, in appreciation of his efforts in founding the Russian Young Men's Christian Association. The address was presented to John R. Mott, general secretary of the Y. M. C. A., at the annual meeting of the association today by a deputation led by Countess Shuvaloff.

Mr. Mott read a special message to the young men of Russia from the president of the Y. M. C. A., and other members of the royal family are taking a lively interest in the association. The Emperor has contributed liberally and has given \$1,500. The Emperor has issued a special order that the apparatus for the new gymnasium be entered free of duty.

SENSATIONAL TRIAL

Prominent Young Man Charged With
Killing His Friend.

LAURENS, S. C., March 7.—In the Court of Common Pleas to-morrow will be the sensational trial of Laurens Pinson, on the charge of killing his friend, Thorneville Boyce, both of Cross Hill, this county, on the morning of November 2, last year. Pinson, Boyce and Miss Mary Brown were riding together in a buggy on the way home from a party, and the tragedy occurred at 1 o'clock in the morning.

It is recalled that at the inquest Miss Brown testified that Pinson drew his pistol and exclaimed: "I am going to shoot like a—," and fired twice, one shot taking effect in the back of Boyce's head, who was at the time sitting on Pinson's lap. The case has attracted considerable interest in the county, and the case promises to be the most sensational in the history of Laurens.

HE STOLE SOCKS

Couldn't Afford to Buy Them, Fiancee
Disliked Bare Feet.

MONTGOMERY, ALA., March 7.—C. Burton, of Gadsden, was sentenced to six days in the county jail for stealing a pair of socks with which to go calling on his best girl. The socks were valued at 12 cents, and were stolen from the clothes-line of a prominent family, and the case promises to be the most sensational in the history of Laurens.

The prisoner said that he might as well be a convict as without socks, and refused to let him into her house until he wore socks. He declared socks were an expensive luxury, and he couldn't afford when contemplating matrimony.

"WHISKEY AND GIRLS"

Young Hull Gives These as Reasons for
His Doings.

SAVANNAH, GA., March 7.—After a long and arduous trip, British Columbia, two special agents reached Savannah to-day having in their hands a case based on the charges of a man of the Atlantic Coast Line Railway, who is charged with stealing a book of Southern Railway money orders, blanks and sewing them over Savannah at large profit to himself.

"Whiskey and girls," was the reason for his trouble. He returned without extradition.

CROWDS DEPARTING

Traffic Is Congested, Thousands of
Them Are Delayed.

WASHINGTON, D. C., March 7.—The rear guard of civic and military organizations that participated in President Taft's inaugural parade to-day. Thousands of visitors who remained in this city after the inauguration because of the congested traffic to-day, but the crush was so great that many were compelled to defer their departure. Normal traffic conditions will not be resumed for several days.

MAJOR GIBSON DEAD

For Eight Years Surveyor of Port of
New Orleans.

NEW ORLEANS, LA., March 7.—Major Fenton W. Gibson, the last of the eight years surveyor of customs of the port of New Orleans, died at his home here to-day. He was a native of Texas and sixty-three years old at the time of his death. He served with distinction in the Union army during the War between States.

FOUNDRY BURNS

Many Men Thrown Out of Employment
in Alabama.

ANNISTON, ALA., March 7.—A fire, believed to be of incendiary origin, this morning destroyed the larger part of the foundry of the Alabama Iron Works here, entailing a loss of about \$60,000. Two hundred and fifty men are thrown out of employment. The company had a large number of orders on hand and it is probable that the plant will be rebuilt without delay.

GENERAL STRIKE

Ordered for One Class of Factory Em-
ployees in Lynn.

MAY BE ANOTHER PERJURY ARREST

Man of Prominence Has
Been Contradicted in
the Cooper Trial.

ARGUMENTS IN CASE SET TO BEGIN TO-DAY

Two Principal Points in Case
Are Who Fired First and What
Were the Coopers Doing
at Place When the
Tragedy Oc-
curred.

NASHVILLE, TENN., March 7.—It is not improbable that before the arguments begin to-morrow in the Cooper-Sharp trial for the murder of former Senator E. W. Cooper, another arrest for perjury will be made on the authority of Attorney-General McCar. This time the accused will be a man of prominence, whose testimony was flatly contradicted by a half-dozen people of unimpeachable character.

The State's attorneys spent the entire day reading the transcript of the testimony and preparing their notes for the arguments. They also divided the testimony into three sections, so that there will be no time wasted by duplicating their arguments.

The attorneys for the defense were equally as diligent, and it was late to-night when they left Judge Anderson's office for a final consultation at the jail with the defendants.

To Submit Instructions.
Judge Hart has asked counsel on both sides to submit such instructions as they wish to reach the jury. The attorneys have been busy upon this task for several days, and will complete it to-morrow. The judge has prepared the statutory charge required by law, which defines the different degrees of murder, explains what is necessary to constitute each and what the punishment may be.

When he receives the tentative charges from counsel on both sides he will accept, reject or amend them to suit his own view of the law, and he will give specific charges as he may believe the evidence justifies, and have the completed charge typewritten and placed in the record of the case. Judge Hart is as famous for short charges as he is for never being reversed in the Supreme Court, and he has stated that this charge will be as brief as is compatible with the many and various issues developed in the trial.

Two Points in Case.
The two points in the case which will be the subject of fiercest attack and defense will be the question of who fired the first shot and the question, who was in the room at the time of the shooting. The street which Senator Carmack had to traverse, and about the time he was wont to go to his apartments.

Mrs. Charles Eastman, who is the only witness to the shooting, aside from the principals affected, and over whose shoulder practically the shots were fired, has sworn positively that Senator Carmack began to fall from the bullet wounds which killed him.

On the other hand, Colonel Cooper and Robin swear that Carmack fired first and was preparing to fire again when Robin began to work the deadly automatic pistol